

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

CARLOS LOPEZ,

Defendant.

16-CR-317-22 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received the attached letter from defendant Carlos Lopez. The Court will consider the letter in connection with Lopez's pending motion for compassionate release.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: June 4, 2020
New York, New York

5-620

INMATE REQUEST TO STAFF
(RESPONSE)

TO: LOPEZ, Carlos
Reg. No.: 79367-054

DISPOSITION:

This is in response to your e-mail received March 29, 2020, wherein you request to be considered for a compassionate release pursuant to 18 U.S.C. §3582 and Bureau of Prisons Program Statement 5050.50, Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C. §§3582(c)(1)(A) and 4205(g). You state you have asthma and a heart murmur.

A review of Program Statement 5050.50, Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C. §§3582(c)(1)(A) and 4205(g), indicates you do not meet any of the criteria established in this program statement. Your medical record does not identify any medical conditions to reflect a terminal or debilitated medical condition, as set forth in Program Statement 5050.50. Also, you have not provided any additional evidence or information in support of the request. Accordingly, the request for a compassionate release is denied at this time.

If you are not satisfied with this response, you may appeal through the Administrative Remedy Program.



D. Edge, WardenDate 4/20/2020

Carlos Lopez
Petitioner

v.

16 Cr. 317 (PAE) (SDNY)

United States of America
Respondent

RE: Request/Motion For Compassionate Release
pursuant to 18 U.S.C § 3582 (c)(1)(A)(i)

I Carlos Lopez move before the honorable
Kaitlyn Baforet a motion For reduction of
Sentence. As Amended by the First Step Act for
Compassionate release. 30 days has passed from the
date of request by the warden.

The Above mentioned defendant is currently housed
here at the Metropolitan Detention Center, Brooklyn N.Y.
Where the epidemic of the Corona Virus has Killed over
8,000 New York Citizens.

His petition is that he has been quarantined for
over a month, with 1 hour to shower, email, place a
phone call amongst 12 inmates at a time, with 4 operating
Shower and 4 working phone, and 5 working computers
on a 124 man unit. Due to the rapid spread of the
Covid-19 disease inside M.D.C. Brooklyn facility. Where over
6 inmates and 11 staff members have tested positive for the
virus.

This virus is causing a pandemic around the world

Where over 100,000 people have died from this unknown virus. This germ is spread air born and it comes into contact of any surface it spreads like bacteria. There is no cure for this disease. The only thing that can help a person who contract this disease, is if God spares his life.

As of today May 14th 2020 Petitioner's unit is now sitting right across from unit 62, which is on full quarantine because an inmate has tested positive for Cor-19. It is just a matter of time before it spreads to the additional units. As the officers and staff travel to and from each unit, without hazardous safety procedures.

Petitioner will be the worst to suffer the potential of death if he contracts this virus. As Mr. Lopez suffers from asthma, heart murmur, and other respiratory complications. The (CDC) Center of Disease Control has issued a statement clarifying that people over the age of 60 and people with the forementioned illness will die from this disease, if they body cannot produce its own antibody to fight out this germ. Therefore putting Mr. Lopez in eminent danger of death.

Amongst the inhabitants of this Earth Mr. Lopez like is extremely endanger if he is continued to be housed in this unsafe environment. MDC Brooklyn has still not recovered from the heat-hot running water/electrical problem still pending in Court-see Scott v. Quay, No. 19 Civ. 01075. This unstable facility is where Petitioner is housed pending his direct appeal, in front of Judge Engelmayer, of the Southern District of New York. Docket No. 16 Cr. 317. Even if sent back to the custody of the BOP. This is a Global pandemic, that has a different but deadly survival rate as

Well. As each state is also dealing in this deadly crisis at an alarming rate.

There for under these "Extraordinary" and "compelling" circumstances this Court must warrant a sentence reduction for Mr. Lopez to be released to his family to assist in their well-fare under the World most troubling Armagedon, Out of an abundance of Caution to the Compromise of his natural life. Currently Mr. Lopez is serving a 10 year sentence with over 3 1/2 years time served on this sentence. We further ask that the Government take into consideration the surrounding circumstances and the roles within Mr. Lopez conviction which was minimum, to consent in Mr. Lopez release.

Respectfully submitted;
Carlos Lopez # 79367-054

Carlos Lopez 79367054

Metropolitan Detention Center

P.O. Box 329002

Brooklyn, NY 11232

Legal Mail

10007\$1315

NEW YORK NY 100

27 MAY 2020 PM 10 L



To: Mr. Paul A Engelmaier
500 Pearl Street
New York, New York 10007

USMP3
USDAI

Received JAR
6/4/2020
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METROPOLITAN DETENTION CENTER

80 29TH ST, BROOKLYN, NY 11232

The enclosed letter was processed through
mail procedures for forwarding to you.

The letter has neither been opened nor inspected.

If the writer raises a question or a problem over

which this facility has jurisdiction, you may wish
to return the material for further information

or clarification. If the writer encloses correspondence

for forwarding to another addressee, please

return the enclosure to the above address.